

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

DIANNA KRANNACKER,)	
)	
Plaintiff,)	
v.)	Civil No. 18-1009
)	
HAMILTON HILLS, INC. <i>trading and</i>)	
<i>doing business as</i> HAMILTON HILLS)	
PERSONAL CARE FACILITY, and)	
RON OLENIK,)	
)	
Defendants.)	

ORDER

AND NOW, this 2nd day of December, 2019, the following Order is hereby entered.

On December 2, 2019, Counsel for Plaintiff, Timothy M. Kolman, sent a letter by facsimile to Chambers purporting to request a postponement of the Post Discovery Status Conference set for December 10, 2019 at 11:00 AM. Mr. Kolman also purports to request a date certain to file a Default Judgment against the Defendant. A copy of the December 2, 2019 letter is attached as Exhibit A.

The Federal Rules of Civil Procedure require that a “request for a court order must be made by motion.” Fed. R. Civ. Proc. 7(b). As such, Mr. Kolman’s letter submitted by fax is improper, as it was not made by motion and filed on the docket in this matter. *See also* Local Civil Rule 7.A & D.

To the extent Mr. Kolman seeks postponement of the Post Discovery Status Conference due to his “unavailability,” such request would be denied. On October 31, 2019, attorney Kathryn E. Liebhaber entered her appearance on behalf of the Plaintiff. As counsel of record, Ms. Liebhaber may appear at the conference. Thus, there is no basis to continue this matter.

To the extent Mr Kolman seeks a date certain to file a Default Judgment, such request would be denied as the Defendant has filed a response to the Complaint. *See* ECF No. 28, “Response to Allegations set forth by Factual Background by Plaintiff.”

Accordingly, the Post Discovery Status Conference set for December 10, 2019 at 11:00 AM, will occur as originally scheduled.

s/Marilyn J. Horan
Marilyn J. Horan
United States District Judge

cc: RON OLENIK, pro se (via regular mail)
153 CURRY AVE
TURTLE CREEK, PA 15145